

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Harrisonburg Division

HERBERT L. SINGLETON, III,

Plaintiff,

v.

Case No. 5:21-cv-00020-TTC

ASTRO HOLDING COMPANY, LLC,

Defendant.

DEFENDANT'S MOTION TO DISMISS

Defendant Astro Holding Company, LLC ("Astro Holding"), by counsel, moves the Court to dismiss this action for Plaintiff's failure to state a claim upon which relief can be granted, pursuant to Federal Rule of Civil Procedure 12(b)(6).

WHEREFORE, for the reasons stated in its accompanying Brief in Support, Astro Holding respectfully requests that the Court grant its motion and dismiss this action with prejudice.

ASTRO HOLDING COMPANY, LLC

/s/ Walker Terry

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CERTIFICATE OF SERVICE

I hereby certify that on June 14, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participant(s):

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Plaintiff, pro se.

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